

# Notice of Allowability

Application No.

09/785,413

Examiner

Justin P. Misleh

Applicant(s)

TANAKA ET AL.

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## -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Amendment After-Final filed August 9, 2007.
2. ☒ The allowed claim(s) is/are 51 – 88 and 99 – 109 (now respectively renumbered 1 – 36, 39, 40, 37, 38, and 41 – 49).
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☒ All    b) ☐ Some\*    c) ☐ None    of the:
    1. ☒ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  5. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

### Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO/SB/08),  
Paper No./Mail Date 12/7/06
4. ☐ Examiner's Comment Regarding Requirement for Deposit  
of Biological Material

5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_.
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_.

  
LIN YE  
SUPERVISORY PATENT EXAMINER

## **DETAILED ACTION**

### ***Allowable Subject Matter***

1. **Claims 51 – 88 and 99 – 109 (now respectively renumbered 1 – 36, 39, 40, 37, 38, and 41 – 49) are allowed.**

### **Closest Prior Art**

- **Tomat et al. (see Office Action; September 7, 2006)** disclose, as stated in column 16 (line 62) – column 17 (line 5), “double clicking on a displayed thumbnail image file launches an OLE image container application and opens an associated full-resolution image file within the application ... alternatively, double clicking of a displayed thumbnail image file launches a JPEG default application specified by the system registry and opens an associated full-resolution file therein.” However, Tomat et al. do not specifically disclose wherein “file names of functions indicating at least a function for picking up an image are registered” in the directories and are also to be transmitted or picking-up “an image allocated to at least one function file name of the function file names when the image information receiver requests to transmit a file corresponding to the at least one function file name of the function file names,” or “selects and designates the one function file name of the function file name corresponding to a desired function.”

- **Kairbara et al. (see Office Action; September 7, 2006)** disclose, an image pick-up information transmitting system including an electronic camera and image information receive, selecting a Transfer.img file that merely executes the Transfer program, in which an initial window for Transfer processing (e.g., UI window 701 shown in Figure 7; or UI window 801

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shown in Figure 8). Kaibara discloses that, if a log file is present, a [Check Log] button is displayed, as shown in the UI window 801 of Figure 8. When no log file to be confirmed is present because neither transmission nor printing has been performed, or log files have been deleted, the [Check Log] button is not displayed, as shown in the UI window 701 of Figure 7. A title representing the current layer is displayed at the upper portion of the window. Kaibara further discloses how the execution of the transmission of the image is performed (e.g., see Kaibara at column 12, lines 9 – 18) and how a log file is generated after transmission (e.g., see Kaibara at column 12, lines 19 – 31). The selecting of the Transfer.img file does not select the desired image or cause the image pick-up device to pick up an image, and even further, an image is not even allocated to the Transfer.img file.

- **Camara et al. (see Office Action; March 14, 2006)** disclose, at best, an image acquisition system having a computer and one or more imaging devices coupled thereto. Each imaging device has a device memory and is capable of capturing and storing a digital image in its memory. An image device manager is implemented in software on the computer to control imaging device operation. The image device manager presents a user interface (UI) within the familiar graphical windowing environment. The UI has a context space to a particular imaging context (e.g., scanning, photography, and video). The UI also has a persistently-visible imaging menu positioned within the context space that lists options particular to the imaging context. The image acquisition system also includes a set of application program interfaces (APIs) that enable applications to manage loading and unloading of imaging devices, monitor device events, query device information properties, create device objects, capture images using the devices, and store or manipulate the captured images.

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**Allowable Subject Matter**

The closest prior art does teach or fairly suggest the features of independent Claims 51, 87, 106, and 107, respectively. More specifically, the closest prior art at least does not teach or fairly suggest a selecting device which selects and designates a desired function file name of the at least one function file name showing a desired function on the basis of the displayed information of the directories and that the image pick-up device which picks up the image allocated to at least one of the function file names when the image information receiver requests an image file corresponding to said at least one of the function file names.”

2. Any comments considered necessary by Applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled “Comments on Statement of Reasons for Allowance.”

***Conclusion***

3. Any inquiry concerning this communication or earlier communications from the Examiner should be directed to Justin P Misleh whose telephone number is 571.272.7313. The Examiner can normally be reached on Monday through Friday from 8:00 AM to 5:00 PM.

If attempts to reach the Examiner by telephone are unsuccessful, the Examiner’s supervisor, Lin Ye can be reached on 571.272.7372. The fax phone number for the organization where this application or proceeding is assigned is 571.273.8300.


Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications

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may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

JPM

August 28, 2007



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